



Robert Greene Sterne Edward J. Kessler Jorge A. Goldstein David K. S. Cornwell Robert W. Esmod Tracy-Gene G. Durkin Michael B. Ray Robert E. Sokohl Eric K. Steffe Michael Q. Lee Steven R. Ludwig John M. Covert Linda E. Alcorn Robert C. Millonig Donald J. Featherstone Lawrence B. Bugaisky Michael V. Messinger Judith U. Kim Timothy J. Shea, Jr. Patrick E. Garrett Heidi L. Kraus Albert L. Ferro* Donald R. Banowit Peter A. Jackman Teresa U. Medler Jeffrey S. Weaver Kendrick P. Patterson Vincent L. Capuano Eldora Ellison Floot Tirgil Lee Beaston Kimberly N. Reddick Theodore A. Wood Elizabeth J. Haanes Joseph S. Ostroff Frank R. Cottingham Christine M. Lhulier Rae Lynn Prengaman Jane Shershenovich* George S. Bardmesser Daniel A. Klein* Jason D. Eisenberg Michael D. Specht Andrea J. Kamage Tracy L. Muller* LuAnne M. DeSantis John J. Figueroa Ann E. Summerfield Tiera S. Coston Avic W. Ledford* Jessica L. Parezo Timothy A. Doyle*

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Gaby L. Longsworth* Nicole D. Dretar* Ted J. Ebersole Jyoti C. Iyer* Laura A. Vogel Registered Patent Age

Registered Patent Agents « Karen R. Markowicz Nancy J. Leith Helene C. Carlson Matthew J. Dowd Aaron L. Schwartz Katrina Y. Pei Quach Bryan L. Skelton Robert A. Schwartzman Teresa A. Colella Jeffrey S. Lundgren Victoria S. Rutherford Michelle K. Holoubek Robert H. DeSelms Simon J. Elliott Julie A. Heider Mita Mukherjee Scott M. Woodhouse

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*Admitted only in Maryland *Admitted only in Virginia •Practice Limited to Federal Agencies

June 8, 2004

WRITER'S DIRECT NUMBER: (202) 772-8834 INTERNET ADDRESS: BHAANES@SKGF.COM

Art Unit 1646

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/005,842; Filed: December 7, 2001

For: Death Domain Containing Receptor 5

Inventor:

NI et al.

Our Ref:

1488.131000A/EKS/EJH

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Fourth Supplemental Information Disclosure Statement;
- 2. PTO-1449 (19 pages) citing sixty-four (64) documents;
- 3. Fee Transmittal (PTO/SB/17);
- 4. Credit Card Payment Form; and
- 5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox PLLC. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com

Commissioner for Patents June 8, 2004 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Elizabeth J. Haanes, Ph.D. Attorney for Applicant

Registration No. 42,613

EJH/M-M:amr 273674.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ni et al.

Appl. No.: 10/005,842

Filed: December 7, 2001

For: Death Domain Containing Receptor 5

Confirmation No.: 4105

Art Unit: 1646

Examiner: Kaufman, Claire, M.

Atty. Docket: 1488.131000A/EKS/EJH/M-M

Fourth Supplemental Information Disclosure Statement

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fourth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Third Supplemental Information Disclosure Statement filed on May 30, 2003, in connection with the above-captioned application.

Copies of the cited documents were cited by or submitted to the Office in an Information Disclosure Statement that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/042,583, filed March 17, 1998, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of the documents are not attached. 37 C.F.R. § 1.98(d).

The Examiner is referred to the following related, co-pending patent applications:

U.S. Patent Application No. 10/648,825, filed August 27, 2003, inventors Ni et al., cited

as Document AR33;

06/09/2004 HVUDNG1 00000090 10005842

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U.S. Patent Application No. 10/774,622, filed February 10, 2004, inventors Ni et al., cited as Document AS33.

The Examiner's attention is also directed to the following recently issued U.S. Patent directed to related subject matter: U.S. Patent No. 6,743,625 issued June 1, 2004, and cited as document AE2.

The identification of these U.S. Patent Applications is not to be construed as a waiver of secrecy as to this application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Fourth Supplemental Information Disclosure Statement is being filed more than three months after the U.S. filing date and before the mailing date of a Final Rejection, or Notice of Allowance. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Elizabeth J. Haanes, Ph.D. Attorney for Applicants Registration No. 42,613

Date:

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no per

FEE TRANSMIT for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

SUBMITTED BY

Name (Print/Type)

Signature

Elizabeth J. Haanes, Ph.D

TOTAL AMOUNT OF PAYMENT 180.00

Complete if Known						
Application Number	10/005,842					
Filing Date	December 7, 2001					
First Named Inventor	Jian NI					
Examiner Name	Kaufman, Claire M.					
Art Unit	1646					
Attorney Docket No.	1488.131000A/EKS/EJH					

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WARMING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Registration No. (Attorney/Agent)

Telephone

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(202) 371-2600

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	AB2	6,74	3,625	06	/01/2004	Ni	et al.		-		06/06/2001
	AC2	6,46	1,823	10	/08/2002	Ni	et al.				11/24/1999
	AD2	6,34	2,363	01	/29/2002	Ni	et al.				01/27/1998
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	AM4	EP 1	181 319 A0		12/07/2000		Europe				No.
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Cell Press (January 1997)

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

CD95," Proc. Natl. Acad. Sci. USA 95:13818-13822, National Academy Press (November

Bodmer, J.-L., et al., "TRAMP, a Novel Apoptosis-Mediating Receptor with Sequence Homology to Tumor Necrosis Factor Receptor 1 and Fas(Apo-1/CD95)," Immunity 6:79-88,



ATTY. DOCKET NO. 1488.131000AEKS/EJH/M-M FIRST NAMED INVENTOR APPLICATION NO. 10/005,842 Page 2 of 19

Ni et al.

FOURTH SUPPLEMENTAL TRADE

FILING DATE December 7, 2001 ART UNIT 1646

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE	
	AA							
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		NOMBER					Yes No	
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	AT	Chinr Death	Chinnaiyan, A.M., et al., "FADD, a Novel Death Domain-Containing Protein, Interacts with the Death Domain of Fas and Initiates Apoptosis," Cell 81:505-512, Cell Press (1995)					
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	SIPS			Page 3 of 19
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FORM PTO-1449	JUN 0 8 2004 B	FIRST NAMED INVENTOR		
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FOURTH SUPPLEMENTA	<u>୍</u> ୟ କୁ	FILING DATE	ART UNIT	
INFORMATION DISCLOSURE S	TEMENT 6	December 7, 2001	1646	
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